

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOSEPH E. BENNETT,

Petitioner,

vs.

Civil Action 2:07-CV-293
Judge Marbley
Magistrate Judge King

CLIFFORD SMITH, Warden,

Respondent.

ORDER

On May 13, 2008, the United States Magistrate Judge issued a *Report and Recommendation* recommending that the action be dismissed. The parties were specifically advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

The Clerk shall enter **FINAL JUDGMENT** in this action.

s/Algenon L. Marbley
Algenon L. Marbley
United States District Judge